

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad litem ANGELA CANTON,

Plaintiff,

v.

**PORTLAND SCHOOL DISTRICT No. 1J**,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

) Case No. 23CV07344

) **SUMMONS**

**TO: PORTLAND SCHOOL DISTRICT No. 1J, dba Portland Public Schools,  
501 N. Dixon Street, Portland, OR 97227**

You are hereby required to appear and defend the complaint filed against you in the above-entitled action within thirty (30) days from the date of service of this summons upon you, and in the case of your failure to do so, for want thereof, plaintiff(s) will apply to the court for the relief demanded in the complaint.

**NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!**

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal document called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service on the plaintiff.

1 If you have questions, you should see an attorney immediately. If you need help in  
2 finding an attorney, you may contact the Oregon State Bar's Lawyer Referral Service online at  
3 [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling (503) 684-3763 (in the Portland metropolitan area) or  
4 toll-free elsewhere in Oregon at (800) 452-7636.

5  
6 DATED this 17<sup>th</sup> day of February, 2023.

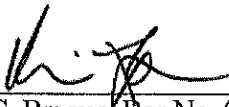
7 THE BRAGUE LAW FIRM

8 By: 

9 Kevin C. Brague, OSB No. 050428  
10 [kevin@braguelawfirm.com](mailto:kevin@braguelawfirm.com)  
11 4504 S. Corbett Avenue, Suite 250  
12 Portland, OR 97239  
13 t: 503.922.2243  
14 f: 503.296.2046  
15 Attorneys for Plaintiff

16  
17 STATE OF OREGON )  
18 )ss  
County of Multnomah )

19 I, the undersigned attorney of record for the plaintiff, certify that the foregoing is an exact and  
20 complete copy of the original summons in the above-entitled action.

21   
22 Kevin C. Brague, Bar No. 050428  
23  
24  
25  
26

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

**PORTLAND SCHOOL DISTRICT No. 1J**,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

) Case No. 23CV07344

) **COMPLAINT**

) (Negligence; Premises Liability; Title VI)

) Fee Authority: ORS 21.160(1)(d)

) Prayer: \$9,000,000.00

) NOT SUBJECT TO MANDATORY

) ARBITRATION (Claim exceeds \$50,000)

) DEMAND FOR JURY TRIAL

Plaintiffs allege as follows:

1.

At all material times, Plaintiff A.R. was and is a resident and domiciliary of Multnomah County, Oregon, is a minor over the age of 14 and attended school pursuant to Defendant's Board Policy 4.10.010-P, and ORS 339.010 and ORS 339.020.

2.

At all material times, Defendant Portland School District No. 1J (fka Multnomah County School District No. 1J and its Board, which references itself as the "Board of Directors of Multnomah County School District No. 1J" per its currently published Board Policy 1.10.010-P(2)) doing business as Portland Public Schools (collectively "PPS"), is and was an Oregon public corporate entity doing business in Multnomah County, Oregon.

1 3.

2 PPS is a public school district, providing public school education from kindergarten  
3 through the twelfth grade pursuant to ORS 332.072 et seq. and ORS 339.115, and is responsible  
4 for and operates elementary schools, middle schools, high schools, alternative and magnet  
5 schools, and related programs.

6 4.

7 The District warrants and accepts the burden and responsibility of keeping its students  
8 safe and free from a racially hostile education environment.

9 6.

10 The District warrants and accepts the responsibility of supervising students at all times  
11 when they are in school, on school grounds, under school auspices, or engaging in school-  
12 sponsored activities.

13 7.

14 On May 25, 2020, George Floyd, a 46-year-old black man, was murdered in Minneapolis,  
15 Minnesota by Derek Chauvin, a 44-year-old white police officer. Officer Chauvin knelt on  
16 George Floyd's neck for approximately 9 minutes while George Floyd was handcuffed with his  
17 hands behind his back, lying face down in the street all the while crying out for help, protesting  
18 that he could not breathe, and with his dying breaths cried out for his "Mama." Two other police  
19 officers, J. Alexander Kueng and Thomas Lane, assisted Officer Chauvin in restraining Floyd.  
20 Officer Lane had also pointed a gun at Floyd's head prior to Floyd being put in handcuffs. A  
21 fourth police officer, Tou Thao, prevented bystanders from intervening.

22 8.

23 On January 18, 2023, A.R., who is black, was utilizing a hall pass with the permission of  
24 his teacher at PPS's West Sylvan Middle School. Shortly after A.R. being in the hallway five  
25 other middle school students appeared in the hallway. Four of these students were dismissed  
26 from their class by a teacher without any supervision or direction. When these five students

1 approached A.R., two of the white students rushed and grabbed A.R. (who tried to evade). The  
2 two students then pushed A.R. into the wall and while restraining his hands and arms and pulling  
3 them behind his back announced:

4 “We are treating you like George Floyd and putting you under arrest.”

5 One of the two students put his lanyard into A.R.’s back mimicking a gun. The two students  
6 then wrestled and threw A.R. to the ground and placed a knee into his upper back/neck stating:

7 “We are turning off our body cameras. We are going to wait twenty second to simulate  
8 George Floyd dying.”

9 The three other students, like the other Minneapolis Police Officers, stood by and watched. At or  
10 near the end of this racist re-enactment, a sixth student then came from another nearby classroom  
11 and the five students let go of A.R. A.R. then returned to his classroom.

12 9.

13 PPS and West Sylvan Middle School, in particular, have a history of racial discrimination  
14 and tolerating racial incidents between students, including ongoing and pervasive daily use of  
15 racial slurs and epithets by the student body without objection or recourse by any employee or  
16 agent of PPS and West Sylvan Middle School.

17 10.

18 There was no or insufficient adult supervision when A.R. was racially, physically, and  
19 emotionally assaulted, traumatized, and injured by his conscription in the re-enactment of the  
20 murder of George Floyd during school and on school property.

21 11.

22 PPS failed to take reasonable steps to supervise its students and keep A.R. safe.

23 12.

24 PPS fostered and condoned a racially hostile education environment at West Sylvan Middle  
25 School.

26 /////

13.

PPS was on notice that its campuses were hostile education environments based on prior complaints from students and PPS's toleration and condoning of racist name calling, harassment, and assaults based on race occurring at West Sylvan Middle School and throughout PPS for years prior.

14.

PPS, including West Sylvan Middle School, failed to inform, teach, educate, and reasonably respond to its racially hostile education environments. PPS condoned and fostered racially hostile education environments for black students.

15.

A.R. filed this suit within 180 days of the racial and physical assault which satisfied the Oregon Tort Claims Act.

**FIRST CLAIM FOR RELIEF**

(Negligence)

16.

Plaintiff realleges and incorporates by reference paragraphs 1 through 15 above.

17.

Plaintiff and PPS are in a special relationship of educators to student. A.R. was entrusted to PPS's care and it has the special duty to assure his safety through close supervision during school hours and on school grounds.

18.

PPS's lack of supervision breached its duties of care to its students, including A.R., which breach allowed for his injuries to occur.

////

////

////

19.

A.R. was harmed and injured when he was racially and physically and emotionally assaulted during class, at school, during school hours, and on school grounds when there was no or inadequate supervision of students.

20.

A.R.'s injuries were due in whole or in part to the negligent acts and omissions of PPS in one or more of the following respects:

- a. In failing to supervise its students;
- b. In failing to inform students within PPS and West Sylvan Middle School of its anti-racist and harassment policies;
- c. In failing to inform PPS and West Sylvan Middle School employees and agents of its anti-racist and harassment policies;
- d. In failing to implement anti-racist and harassment policies within PPS and West Sylvan Middle School;
- e. In failing to keep the five West Sylvan Middle School students from assaulting A.R. based on his race;
- f. In failing to keep the five West Sylvan Middle School from physically assaulting A.R.;
- g. In failing to keep the five West Sylvan Middle School from harassing A.R.;
- h. In failing to discipline at least three of the five West Sylvan Middle School students in accordance with PPS's Student Conduct and Discipline Policy;
- i. In failing to discipline at least three of the five West Sylvan Middle School students in accordance with PPS's Student Conduct and Discipline Policy, PPS signals to all its students and staff that its anti-racist policies are meaningless and will not be implemented and that racism is acceptable within its schools;

j. In failing to warn A.R. of the danger of racist assaults at West Sylvan Middle School;

k. In failing to report the five students to juvenile authorities for their hate crime and child abuse pursuant or ORS 166.155 and ORS 419B.010;

l. In failing to train its employees and agents on supervising students; and

m. In failing to train its employees on adequately responding to racism.

21.

As a direct and foreseeable result of PPS's negligence as set forth above, A.R. was injured and traumatized and emotionally distressed all to his economic damages in an amount to be proved at trial, but which is presently estimated to be \$4,500,000.00 and to his noneconomic damages in an amount to be proved at trial, but which is presently estimated to be \$4,500,000.00.

## SECOND CLAIM FOR RELIEF

(Premises Liability)

22.

Plaintiffs reallege and incorporate by reference paragraphs 1 through 21 above.

23.

PPS owns, occupies, and controls the land, buildings, playgrounds, and fields whereupon Plaintiff was injured.

24.

A.R. is an invitee of PPS to attend school.

25.

PPS knew or should have known that West Sylvan Middle School was not safe, and that it has a history of children being harassed, assaulted, and injured based on their race during school and on school property, and that unsupervised children are more likely to injure others.

////

////



26.

PPS failed to exercise reasonable care to eliminate the danger, or warn A.R. that he would be racially and physically assaulted, harassed, and injured on PPS property.

27.

A.R.'s injuries were due in whole or in part to the negligent acts and omissions of PPS in one or more of the following respects:

- a. In failing to supervise its students;
- b. In failing to inform students within PPS and West Sylvan Middle School of its anti-racist and harassment policies;
- c. In failing to inform PPS and West Sylvan Middle School employees and agents of its anti-racist and harassment policies;
- d. In failing to implement anti-racist and harassment policies within PPS and West Sylvan Middle School;
- e. In failing to keep the five West Sylvan Middle School students from assaulting A.R. based on his race;
- f. In failing to keep the five West Sylvan Middle School from physically assaulting A.R.;
- g. In failing to keep the five West Sylvan Middle School from harassing A.R.;
- h. In failing to discipline at least three of the five West Sylvan Middle School students in accordance with PPS's Student Conduct and Discipline Policy;
- i. In failing to discipline at least three of the five West Sylvan Middle School students in accordance with PPS's Student Conduct and Discipline Policy, PPS signals to all its students and staff that its anti-racist policies are meaningless and will not be implemented and that racism is acceptable within its schools;
- j. In failing to warn A.R. of the danger of racist assaults at West Sylvan Middle School;

1 k. In failing to report the five students to juvenile authorities for their hate crime and  
2 child abuse pursuant or ORS 166.155 and ORS 419B.010;

3 l. In failing to train its employees and agents on supervising students; and

4 m. In failing to train its employees on adequately responding to racism.

5 28.

6 As a direct and foreseeable result of PPS's negligence as set forth above, A.R. was  
7 injured and traumatized and emotionally distressed all to his economic damages in an amount to  
8 be proved at trial, but which is presently estimated to be \$4,500,000.00 and to his noneconomic  
9 damages in an amount to be proved at trial, but which is presently estimated to be \$4,500,000.00.

10 **THIRD CLAIM FOR RELIEF**

11 (Title VI – Hostile Education Environment)

12 29.

13 Plaintiff realleges and incorporates by reference paragraphs 1 through 28 above.

14 30.

15 The Civil Rights Act of 1964 prohibits race discrimination by any program or activity  
16 receiving Federal financial assistance. See 42 USCS § 2000d ["No person in the United States  
17 shall, on the ground of race, color, or national origin, be excluded from participation in, be  
18 denied the benefits of, or be subjected to discrimination under any program or activity receiving  
19 Federal financial assistance."]

20 31.

21 PPS received Federal financial assistance including ESSER funds, Title VI funds,  
22 COVID stimulus funding, FEMA reimbursement, and other Federal funds and grants which total  
23 over \$145,000,000.00.

24 32.

25 A.R. is a young black man, fourteen years of age, and attends PPS and West Sylvan  
26 Middle School pursuant to PPS Policy Policy 4.10.010-P, and ORS 339.010 and 339.020.

33.

PPS created a hostile education environment due to its failure to supervise students who sought out, used, intimidated, harassed, traumatized and injured A.R. in mimicking the murder of another black man, George Floyd.

34.

These students' race-based actions are the direct result of PPS failing to inform, educate, and respond to prior complaints of racism, racial incidents, race-based name calling, and harassing behavior.

35.

PPS knew of prior instances of racism by students during school and while on school grounds.

36.

PPS failed to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and address its effects..

37.

As a direct and foreseeable result of PPS's discrimination and hostile education environment as set forth above, A.R. was injured in an amount to be proved at trial, but not more than \$9,000,000.00.

38.

A.R. is entitled to recover his attorney fees and costs pursuant to 42 USC § 1988(b).

**WHEREFORE**, Plaintiffs prays for the following relief against PPS:

1. For A.R.'s economic damages in an amount not to exceed \$4,500,000.00, or such other amount to be proved at trial;
2. For A.R.'s noneconomic damages in an amount not to exceed \$4,500,000.00, or such other amount to be proved at trial;

3. For A.R.'s attorney fees and costs pursuant to 42 USC § 1988(b);
4. For A.R.'s costs and disbursements; and
5. For such other relief as the court deems just.

DATED this 16<sup>th</sup> day of February, 2023.

THE BRAGUE LAW FIRM

By: 

Kevin C. Bague, OSB No. 050428  
*kevin@braguelawfirm.com*  
4504 S. Corbett Avenue, Suite 250  
Portland, OR 97239  
t: 503.922.2243  
f: 503.296.2046  
Attorneys for Plaintiff



1  
2 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF  
3 MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS  
4 EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

5  
6 DATED this 15 day of February, 2023.

7 By: Angela Canton  
8 Angela Canton  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

**PORTLAND SCHOOL DISTRICT No. 1J**,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

Case No.

**ORDER APPOINTING GUARDIAN  
AD LITEM**

It appearing to the Court that A.R. is a minor under the age of 14 years, and that no general guardian or conservator has previously been appointed for him; and it further appearing that Angela Canton is an appropriate person to be appointed Guardian ad Litem to pursue the minor's claims in the above-entitled case.

IT IS HEREBY ORDERED that Angela Canton is appointed Guardian ad Litem for A.R. in the above-entitled case.

Submitted by:  
Kevin Brague, OSB No. 050428  
The Brague Law Firm  
503.922.2243

**UTC R 5.100 CERTIFICATION**

This proposed order or judgment is ready for judicial signature because:

1. ☐ Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.

2. ☐ Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.

3. ☐ I have served a copy of this order or judgment on each party entitled to service and:

a. ☐ No objection has been served on me.

b. ☐ I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

c. ☐ After conferring about objections, \_\_\_\_\_ agreed to independently file any remaining objection.

4. ☒ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

5. ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.

6. ☐ Other:

DATED this 16<sup>th</sup> day of February, 2023.

THE BRAGUE LAW FIRM

By: 

Kevin C. Brague, OSB No. 050428  
kevin@braguelawfirm.com  
4504 S. Corbett Avenue, Suite 250  
Portland, OR 97239  
t: 503.922.2243  
f: 503.296.2046  
Attorney for Plaintiff



**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing ORDER APPOINTING GUARDIAN AD LITEM on the following person(s)

*Attorney for Defendant*

By the following indicated method(s):

- ☐ by ESERVICE through the Oregon Judicial Department eFiling System at the party's email address as recorded on the date of service in the eFiling system.
- ☐ by MAILING in sealed, postage paid envelope(s), addressed as shown above, and deposited with the U.S. Postal Service at Portland, Oregon.
- ☐ by HAND-DELIVERING to the above party(ies), at the address(es), indicated above.
- ☐ by FAXING a copy to the party(ies) indicated above at (telephone no). Attached to this certificate is the printed confirmation of receipt of the document(s) generated by the transmitting machine.
- ☒ by EMAIL to:

DATED this 16<sup>th</sup> day of February, 2023.

By: s/Kevin Brague  
Kevin Brague

CERTIFICATE OF SERVICE

The Brague Law Firm  
4504 S. Corbett Avenue, Suite 200  
Portland, Oregon 97239  
503.922.2243

Exhibit 1, Page 18 of 36

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

**PORTLAND SCHOOL DISTRICT No. 1J,**  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

) Case No.  
)  
)  
)

) **DECLARATION OF RAHEEM**  
) **ALEXZANDER IN SUPPORT OF**  
) **PETITION FOR APPOINTMENT OF**  
) **GUARDIAN AD LITEM**  
)  
)  
)  
)  
)  
)  
)

I, Raheem Alexzander, declare as follows:

1. I am the natural father to A.R. and the following is true to the best of my knowledge,  
information, and belief.

2. A.R. is my son, and is a minor, being under the age of eighteen years-old and over  
the age of 14.

3. I consent to his mother, Angela Canton's appointment as A.R.'s guardian ad litem  
for the purposes of this litigation.

1 I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF  
2 MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS  
3 EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

4  
5 DATED this 15 day of February, 2023.

6 By: Raheem Alexzander  
7 Raheem Alexzander  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad ) Case No.  
litem ANGELA CANTON, )

Plaintiff, )

**PETITION FOR APPOINTMENT OF  
GUARDIAN AD LITEM**

v. )

**PORTLAND SCHOOL DISTRICT No. 1J,** )  
an Oregon public corporate entity by and )  
through the Board of Directors of Multnomah )  
County School District No. 1J, )

Defendant. )

Petitioner/Applicant, A.R., petitions as follows:

1.

I am the natural son to my father and mother, Raheem Alexzander and Angela Canton,  
who provide for my support.

2.

I reside with my mother at Angela Canton at 236 NE 131st Place, Portland, Oregon 97230,  
in Multnomah County.

3.

I was born in August 2009 and am currently 14 years of age.

1 4.

2 No general guardian ad litem has been appointed for me in this proceeding.

3 5.

4 Angela Canton is qualified to be appointed guardian ad litem.

5 6.

6 I have a cause of action against Portland Public Schools as alleged in the Complaint.  
7 Litigation is necessary to resolve this claim, and it is required by ORCP 27 that a guardian ad  
8 litem be appointed to process and pursue the claim.

9  
10 WHEREFORE, Petitioner prays that Angela Canton be appointed guardian ad litem to  
11 represent her in this action.

12 DATED this \_\_\_\_ day of February, 2023.

13  
14 By: \_\_\_\_\_  
15 A.R.

16  
17  
18  
19  
20  
21 **Attorney for Petitioner:**  
22 Kevin C. Bague, OSB No. 050428  
23 *kevin@braguelawfirm.com*  
24 4504 S. Corbett Avenue, Suite 250  
25 Portland, OR 97239  
26 503.922.2243

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM on the following person(s)

*Attorney for Defendant*

By the following indicated method(s):

- ☐ by ESERVICE through the Oregon Judicial Department eFiling System at the party's email address as recorded on the date of service in the eFiling system.
- ☐ by MAILING in sealed, postage paid envelope(s), addressed as shown above, and deposited with the U.S. Postal Service at Portland, Oregon.
- ☐ by HAND-DELIVERING to the above party(ies), at the address(es), indicated above.
- ☐ by FAXING a copy to the party(ies) indicated above at (telephone no). Attached to this certificate is the printed confirmation of receipt of the document(s) generated by the transmitting machine.
- ☒ by EMAIL to: *efield@ghrlawyers.com*.

DATED this 15<sup>th</sup> day of February, 2023.

By: *s/Kevin Brague*

Kevin Brague

CERTIFICATE OF SERVICE

The Brague Law Firm  
4504 S. Corbett Avenue, Suite 200  
Portland, Oregon 97239  
503.922.2243

Exhibit 1, Page 23 of 36

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

**PORTLAND SCHOOL DISTRICT No. 1J**,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

) Case No. 23CV07344  
)  
)

) **PLAINTIFF'S FIRST REQUEST FOR**  
) **PRODUCTION OF DOCUMENTS**  
)  
)  
)  
)  
)  
)  
)  
)  
)

**TO: Portland School District No. 1J, dba Portland Public Schools**, 501 N. Dixon  
Avenue, Portland, OR 97227.

In accordance with ORCP 36 and 43, Plaintiff requests that Defendant, Defendant's  
attorney, and Defendant's insurer produce the documents and information for copying and  
inspection within forty-five (45) days of service of Defendant's receipt of this request at the  
office of Plaintiff's attorney: The Brague Law Firm, 4505 S. Corbett Avenue, Suite 250,  
Portland, Oregon 97239.

**INSTRUCTIONS**

This request extends instructions within Defendant's possession to include documents  
and information within Defendant's custody or control or the custody or control of Defendant's  
agents, lawyers, insurer, employees, heirs, successors, and assigns, regardless of where located,

1 and may, therefore, require Defendant or his attorney to seek and obtain the specifically  
2 requested documents and information.

3 This request is continuing throughout the pendency of this action, and any additional  
4 documents responsive to this request for production should be made available for inspection by  
5 Plaintiff's attorney as soon as any such document or information comes within Defendant's  
6 possession, custody, or control.

7 If any document was, but is no longer, in the possession or control of Defendant, or in  
8 existence, state whether it is (a) missing or lost, (b) destroyed, (c) transmitted or transferred,  
9 voluntarily or involuntarily, to others, identifying such others, or (d) otherwise disposed of. In  
10 each such circumstance, explain the circumstances surrounding, and authorization for, such  
11 disposition and state the date or approximate date thereof. If any of the preceding information is  
12 not available, state any other available means of identifying such document.

13 Any documents or responses to the following requests for production that are withheld  
14 for any reason, including assertion of any applicable privilege, shall be designated as such, and  
15 shall be identified by (a) describing the type of document, (b) the creator of the document, (c) the  
16 recipient (if any) of the document, including any individuals or entities to whom copies of the  
17 document have been provided, and (d) a description of the nature of the document so as to reveal  
18 the information contained therein for purposes of determining whether the asserted privilege is  
19 applicable.

20 To the extent that Defendant believes any of the following requests are objectionable,  
21 answer so much of each part thereof that is not, in Defendant's view, objectionable.

22 These requests include without limitation all such requested documents on which  
23 Defendant will rely at the time of trial.

#### 24 DEFINITIONS

25 1. Except as explained above, the word "Document(s)" shall be construed in the  
26 broadest sense allowable under the Oregon Rules of Civil Procedure, Oregon Rules of Evidence,



1 and other applicable law. They include the original and all copies, unless identical in both form  
2 and content, regardless of origin or location, of written, drawn, recorded, filmed, or graphic  
3 matter, however produced or reproduced, including recorded communications of any kind or  
4 nature whatsoever, and any other such documents and tangible things.

5 2. A document “relating to” or “concerning” a given subject matter means a  
6 document that directly or indirectly constitutes, embodies, comprises, reflects, identifies, states,  
7 refers to, deals with, comments on, responds to, describes, analyzes, contains information  
8 concerning, or is in any way pertinent to that subject matter.

9 3. “And” and “or” shall be construed conjunctively and disjunctively to require the  
10 broadest disclosure of information responsive to any request.

11 4. “PPS” means Defendant Portland School District No. 1J dba Portland Public  
12 Schools (“PPS”), by and through its Board, and all its schools, programs, affiliates, agents,  
13 employees, insurers, accountants, representatives, and all other persons acting or purporting to  
14 act on its behalf.

15 5. “Plaintiff” mean A.R. and his agents, representatives, and all persons acting or  
16 purporting to act on her behalf.

17 **REQUESTS FOR PRODUCTION OF DOCUMENTS**

18 **REQUEST NO. 1:** All documents concerning any report of race-based assaults at West  
19 Sylvan Middle Schools since 2015.

20 RESPONSE:  
21

22 **REQUEST NO. 2:** All documents concerning any report of racism at West Sylvan Middle  
23 Schools since 2015.

24 RESPONSE:  
25

26 ////

1 **REQUEST NO. 3:** All documents concerning any report of racial harassment at West Sylvan  
2 Middle Schools since 2015.

3 **RESPONSE:**  
4

5 **REQUEST NO. 4:** All documents concerning any report of assaults at West Sylvan Middle  
6 Schools since 2015.

7 **RESPONSE:**  
8

9 **REQUEST NO. 5:** All documents concerning any report of harassment at West Sylvan  
10 Middle Schools since 2015.

11 **RESPONSE:**  
12

13 **REQUEST NO. 6:** All documents concerning any report of race-based assaults within PPS  
14 since 2015.

15 **RESPONSE:**  
16

17 **REQUEST NO. 7:** All documents concerning any report of racism within PPS since 2015.

18 **RESPONSE:**  
19

20 **REQUEST NO. 8:** All documents concerning any report of racial harassment within PPS  
21 since 2015.

22 **RESPONSE:**  
23

24 **REQUEST NO. 9:** All documents concerning the supervision of students at West Sylvan  
25 Middle School for the 2022/2023 school year.

26 **RESPONSE:**

1 **REQUEST NO. 10:** All documents concerning the PPS's training on student supervision at  
2 West Sylvan Middle School since 2018.

3 RESPONSE:  
4

5 **REQUEST NO. 11:** All documents containing the names, addresses, and/or phone numbers of  
6 any and all witnesses to any interaction between A.R. and the students who treated him like  
7 George Floyd on January 28, 2023.

8 RESPONSE:  
9

10 **REQUEST NO. 12:** A complete staff directory for West Sylvan Middle School for the  
11 2022/2023 school year.

12 RESPONSE:  
13

14 **REQUEST NO. 13:** A complete copy of West Sylvan Middle School's staff handbook for the  
15 2022/2023 school year.

16 RESPONSE:  
17

18 **REQUEST NO. 14:** A complete copy of PPS's staff handbook for its middle schools for the  
19 2022/2023 school year.

20 RESPONSE:  
21

22 **REQUEST NO. 15:** A complete copy of West Sylvan Middle School's student handbook for  
23 the 2022/2023 school year.

24 RESPONSE:  
25  
26

1 **REQUEST NO. 16:** A complete copy of PPS's student handbook for middle schools for the  
2 2022/2023 school year.

3 RESPONSE:  
4

5 **REQUEST NO. 17:** All documents created, maintained, or received by the District concerning  
6 A.R.

7 RESPONSE:  
8

9 **REQUEST NO. 18:** All documents created, maintained, or received by the District concerning  
10 Angela Canton.

11 RESPONSE:  
12

13 **REQUEST NO. 19:** All documents created, maintained, or received by the District concerning  
14 Raheem Alexzander.

15 RESPONSE:  
16

17 **REQUEST NO. 20:** All documents showing each student at West Sylvan Middle School  
18 received a student handbook.

19 RESPONSE:  
20

21 **REQUEST NO. 21:** All PPS policies concerning racism since August 2018.

22 RESPONSE:  
23

24 **REQUEST NO. 22:** All PPS Policies concerning racial harassment of students at school.

25 RESPONSE:  
26

1 **REQUEST NO. 23:** All PPS Policies concerning the supervision of students while at school.

2 RESPONSE:  
3

4 **REQUEST NO. 24:** All PPS Policies concerning the safety of students while at school.

5 RESPONSE:  
6

7 **REQUEST NO. 25:** All PPS Policies concerning harassment of students at school.

8 RESPONSE:  
9

10 **REQUEST NO. 26:** All documents, correspondence, letters, and emails sent to or received  
11 from Angela Canton concerning A.R.

12 RESPONSE:  
13

14 **REQUEST NO. 27:** All documents, notes, logs, phone messages, diary entries, computer  
15 records in the District's or any of its agents' possession concerning A.R.

16 RESPONSE:  
17

18 **REQUEST NO. 28:** All documents concerning any investigation of the January 18, 2023  
19 George Floyd incident involving A.R. including but not limited to notes, correspondence,  
20 computer data, phone records, logs, policies, and recordings.

21 RESPONSE:  
22

23 **REQUEST NO. 29:** All documents concerning any report of the racial assault upon A.R. made  
24 to law enforcement.

25 RESPONSE:  
26

1 **REQUEST NO. 30:** All documents concerning A.R. including but not limited to individualized  
2 education plans, emails, text messages, personal working files of any teacher, aide, or  
3 administrator, incident reports, cumulative file, transcripts, phone logs, attendance logs, police  
4 reports, DHS reports, medical reports or evaluations, school video, transportation records,  
5 progress records, and computer data.

6 **RESPONSE:**

7  
8  
9 DATED this 17<sup>th</sup> day of February, 2023.

10 THE BRAGUE LAW FIRM

11 By: 

12 Kevin C. Brague, OSB No. 050428  
13 *kevin@braguelawfirm.com*  
14 4504 S. Corbett Avenue, Suite 250  
15 Portland, OR 97239  
16 t: 503.922.2243  
17 f: 503.296.2046  
18 Attorneys for Plaintiff  
19  
20  
21  
22  
23  
24  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS on the following person(s):

Portland Public Schools  
501 N. Dixon  
Portland, OR 97227

By the following indicated method(s):

- ☐ by ESERVICE through the Oregon Judicial Department eFiling System at the party's email address as recorded on the date of service in the eFiling system.
- ☐ by MAILING in sealed, postage paid envelope(s), addressed as shown above, and deposited with the U.S. Postal Service at Portland, Oregon.
- ☒ by HAND-DELIVERING to the above party(ies), at the address(es), indicated above.
- ☐ by FAXING a copy to the party(ies) indicated above at (telephone no). Attached to this certificate is the printed confirmation of receipt of the document(s) generated by the transmitting machine.
- ☐ by EMAIL to: \_\_\_\_\_.

DATED this 17<sup>th</sup> day of February, 2023.

By: s/Kevin Brague  
Kevin Brague

FILED

23 FEB 16 AM 11:26

4TH JUDICIAL DIST.

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

PORTLAND SCHOOL DISTRICT No. 1J,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

Case No. 23CV07344

PETITION FOR APPOINTMENT OF  
GUARDIAN AD LITEM

Petitioner/Applicant, A.R., petitions as follows:

1.

I am the natural son to my father and mother, Raheem Alexzander and Angela Canton,  
who provide for my support.

2.

I reside with my mother at Angela Canton at 236 NE 131st Place, Portland, Oregon 97230,  
in Multnomah County.

3.

I was born in August 2009 and am currently 13 years of age.



Verified Correct Copy of Original 2/17/2023.

4.

No general guardian ad litem has been appointed for me in this proceeding.

5.

Angela Canton is qualified to be appointed guardian ad litem.

6.

I have a cause of action against Portland Public Schools as alleged in the Complaint. Litigation is necessary to resolve this claim, and it is required by ORCP 27 that a guardian ad litem be appointed to process and pursue the claim.

WHEREFORE, Petitioner prays that Angela Canton be appointed guardian ad litem to represent her in this action.

DATED this 15 day of February, 2023.

By:  

A.R.

**Attorney for Petitioner:**  
Kevin C. Brague, OSB No. 050428  
*kevin@braguelawfirm.com*  
4504 S. Corbett Avenue, Suite 250  
Portland, OR 97239  
503.922.2243

FILED

23 FEB 16 AM 11:26

4TH JUDICIAL DIST.

IN THE CIRCUIT COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF MULTNOMAH

A.R., a minor, by and through his guardian ad  
litem ANGELA CANTON,

Plaintiff,

v.

PORTLAND SCHOOL DISTRICT No. 1J,  
an Oregon public corporate entity by and  
through the Board of Directors of Multnomah  
County School District No. 1J,

Defendant.

Case No. 23 CV 07344

**ORDER APPOINTING GUARDIAN  
AD LITEM**

It appearing to the Court that A.R. is a minor under the age of 14 years, and that no general guardian or conservator has previously been appointed for him; and it further appearing that Angela Canton is an appropriate person to be appointed Guardian ad Litem to pursue the minor's claims in the above-entitled case.

IT IS HEREBY ORDERED that Angela Canton is appointed Guardian ad Litem for A.R. in the above-entitled case.

2/16/2023

*Jan Matarazzo*

Submitted by:  
Kevin Brague, OSB No. 050428  
The Brague Law Firm  
503.922.2243

### UTCR 5.100 CERTIFICATION

This proposed order or judgment is ready for judicial signature because:

1. ☐ Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.

2. ☐ Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.

3. ☐ I have served a copy of this order or judgment on each party entitled to service and:

a. ☐ No objection has been served on me.

b. ☐ I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.

c. ☐ After conferring about objections, \_\_\_\_\_ agreed to independently file any remaining objection.

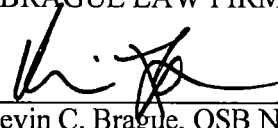
4. ☒ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.

5. ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.

6. ☐ Other:

DATED this 16<sup>th</sup> day of February, 2023.

THE BRAGUE LAW FIRM

By:   
 Kevin C. Brague, OSB No. 050428  
 kevin@braguelawfirm.com  
 4504 S. Corbett Avenue, Suite 250  
 Portland, OR 97239  
 t: 503.922.2243  
 f: 503.296.2046  
 Attorney for Plaintiff